

No. 03-2837

[UNPUBLISHED]

Before WOLLMAN, LAY, and MELLOY, Circuit Judges.

PER CURIAM.

Margaret Stuckey and Charles Stuckey, Jr. (the “Stuckeys”) brought this 42 U.S.C. § 1983 action against several Defendants, including the Solid Waste Authority of Cleveland County, Arkansas (the “Authority”), and two individual members of its board of directors. In their complaint, the Stuckeys alleged that due to their attempts to correct the perceived mismanagement of the Authority, including speaking out at board meetings and making several demands for the inspection of public documents, they were subjected to persecution by the Defendants. According to the Stuckeys, this persecution took many forms, including the denial of access to future board meetings and public documents generated therefrom, as well as being singled out for the initiation of legal action to recover fees owed to the Authority for garbage collection services rendered.

Following a two-day bench trial, the district court¹ entered judgment in favor of all of the Defendants, finding that there was insufficient evidence to support any theory of liability as to any party that was properly subject to suit. After a careful review of the record, including the trial transcript, we agree with the holding of the district court that the Stuckeys failed to make out a prima facie case under § 1983 against any of the Defendants. We also agree with the district court that the evidence failed to establish liability on the part of the Defendants on any of the Stuckeys’ pendent state law claims.

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47(B).

¹The Honorable James M. Moody, United States District Judge for the Eastern District of Arkansas.